

**HAMPTON BOARD OF SELECTMEN
SELECTMEN'S MEETING ROOM
April 10, 2006 – 7:00 PM**

PRESENT: Virginia Bridle-Russell, Chairman
Ben Moore, Vice-Chairman
Rick Griffin
James Workman
Bill Lally
Maureen Duffy, Administrative Assistant

REGRETS: James S. Barrington, Town Manager

Chairman Virginia Bridle-Russell called the meeting to order at 7:00 pm and introduced those in attendance.

SALUTE TO THE FLAG

I. ANNOUNCEMENTS AND COMMUNITY CALENDAR

Mr. Moore announced that the Hampton Historical Society is hosting “On the Abenaki Trail – Life of the Woodland Indians” on Wednesday, April 19 at 7pm at the Lane Memorial Library. The event is presented through Museum of New Hampshire History is suitable for adults and students.

Chairman Bridle-Russell reminded residents that the bridge located at the intersection of Rtes 27 and US 1 in Hampton Village will be closed to traffic. Construction and detouring of traffic is scheduled to begin April 17 and will continue until May 7.

Mrs. Bridle-Russell also announced that the Mosquito Control program begins today. Residents who do not want their property treated must contact Dragon Mosquito Control in writing. Otherwise, control measures may be done on citizens property if needed. Residents may contact Dragon Mosquito Control at 964-8400 for more information on spray dates, location, materials used, precautions or other concerns.

On April 21 the Spring Fling musical program for senior citizens will be held at Hobbs House from 1 to 3 pm.

An open house at Winnacunnet High School (WHS) will be held on May 3.

II. APPOINTMENTS

1 – BRIAN HAYES – DRIVEWAY PERMIT

Mr. Hayes addressed the Board of Selectmen. He is seeking a driveway permit along Surf Street. Town Attorney Gearreald mentioned that there are two aspects the Board needs to consider. The first being a driveway permit for a private road and a building permit for the five unit townhouse structure that the Planning Board has approved.

Mr. Lally MOTIONED to grant the requested five structure building permit and driveway permit for 486 Winnacunnet Road, Map 222 Lot 82. **Mr. Workman SECONDED.**

VOTE: UNANIMOUS FOR

Hampton resident, Charlie Preston submitted two letters to the Chairman for consideration. In the first letter, he requested the Board consider forming an advisory committee to look at parking at the beach. The purpose of this committee would be to alleviate the concerns of beach residents and fears about losing parking in the area. In the other letter, he discussed the Hampton Beach Fire Substation committee.

III. MINUTES – APRIL 3, 2006

The minutes of April 3rd stand as read.

IV. OLD BUSINESS

1. TOWN MANAGER'S REPORT

Town Manager James Barrington is ill and not able to attend tonight's meeting. Chairman Bridle-Russell read Mr. Barrington's report.

Public Works Director John Hangen is contacting Northern Utilities about their recent trenching of Cutler Avenue to ask when they will be repairing the road. Apparently the residents of Cutler Avenue (a private road) recently pooled their money to pave the road. Follow up with the gas company will be made to be sure they make an appropriate repair of their work.

Mr. Barrington spoke with Dick Violette about a couple of issues that were discussed at last Monday's Selectmen's meeting. The issue of sewer deadlines has to do with disconnecting from old sewer lines in the back yards and reconnecting to the new sewer mains being installed. It is important that we get out of the old mains that are contributing to the infiltration of groundwater and stormwater into our sanitary sewer system as soon as possible. We do not want to create an undue hardship, but the work does need to be done. With the Board's consent, the proposed date is November 10 as a reasonable deadline for the switch over. This will allow the season to be completed and work to be done either in the spring or the fall, and will allow sufficient time that the contractors can reasonably schedule their work.

The other issue for Dick Violette had to do with any other houses claiming structural damage. Mr. Violette reported that he has heard from fewer than half a dozen other individuals with claims relating to their structures.

Dick also informed Mr. Barrington that repairs were made this week to the house at 9 Boston Avenue where the wiring had been torn off the house.

The Town received notice that oral argument before the Supreme Court for Sullivan et al v. Town of Hampton has been scheduled for Thursday, May 11, 2006 at 1:00 PM.

Representative Nancy Stiles reported to Mr. Barrington on Tuesday that she had talked with Commissioner Don Hill on Monday and inquired about the progress (or lack thereof) of the Hampton/Exeter Court. He told her that he was just about ready to appoint the committee and hold a meeting soon. She reported that she asked him (politely) to get moving on it so we could actually begin progress. Mr. Barrington met with Exeter Town Manager Russ Dean about the courthouse. They agreed that Mr. Dean would contact Speaker Scamman and Mr. Barrington would contact Representative O'Neil to discuss the court. Mr. Barrington talked with Representative Mike O'Neil last week and he confirmed that a committee is necessary. When Representative O'Neil and Speaker Scamman talked with Commissioner Hill a few weeks ago, they understood that the committee would be formed by the middle of April. The Committee's report is due by November so funding can be included in the 2007 Capital Budget.

Superintendent Gaylord has provided a letter to the Board of Selectmen requesting that the Hampton School Board be allowed to continue to use the Selectmen's Meeting Room on the second Tuesday each month for their regular monthly meetings.

Abutters notice was received which is relative to 23-06 and 26-06. The issue on 23-06 involves deeding of a portion of a lot with non-conforming frontage to create a driveway to a "back lot" that has no frontage except the deeded driveway and adjacent easement. A plat is included illustrating this parcel. The issue on 26-06 is allowing "off site" parking for a condominium conversion at 100 Ashworth Avenue.

Paving has progressed on Ashworth Avenue this week.

RFP's for financing the aerial ladder truck have gone out and are due back by April 18.

The Treasurer reported that we have borrowed \$1.5-million in Tax Anticipation Notes.

SELECTMEN'S RESPONSE TO THE MANAGER'S REPORT

Mr. Griffin would like the Town Manager to report on what happens to residents in the beach area who do not tie into the sewer by November 10.

Mr. Moore MOTIONED to grant the Hampton School Board request to continue to use the Selectmen's Meeting Room for their monthly Board meetings, which are held on the second Tuesday of each month. **Mr. Griffin SECONDED.**

DISCUSSION:

There was some discussion on whether the date would conflict with the Budget Committee.

VOTE: UNANIMOUS FOR

2 – BUDGET

The Board of Selectmen received a copy of the working budget for their review. It was the consensus of the Board to wait until the Town Manager is present before discussing the budget.

3 – SELECTMEN MOORE'S GOALS

Mr. Moore sent an email to the Board for consideration. It included, financial management, long term plans of the Departments, an invite of the Beach Master Plan Commission to a Board of Selectmen meeting to a joint session, appoint a committee to study the Beach Fire Substation and the HQ improvements to Station 2.

Mr. Moore suggested the following for financial management: form a committee to study the format used for financial reporting, a feasibility study on creating monthly budgets, choose a date to implement Governmental Accounting Standards Board (GASB 34), direct finance department to issue monthly balance sheet or a cash balance, invite the Finance Director to attend Selectmen's meetings (second Monday of each month) for a question and answer period and display financial information on the Town website.

GASB 34 has not been implemented in the past due to upfront costs and auditing expense.

There was some discussion on the amount of time it would take to post the monthly financial statements.

Finance Director, Dawna Duhamel will be invited to attend the May 8th meeting.

The Board was in favor of the financial management suggestions.

The Board was in favor of having the department heads present long term plans, mission, non-financial performance measures, facility and staffing needs. Approximately, five to six meetings would be required and it was suggested that this be done from June to August. The Board would like Mr. Barrington to develop a schedule for all department heads.

The Board would like to invite the Beach Master Plan Commission to a Board of Selectmen's meeting for a joint session to discuss plans and what the Town can do assist. It was questioned if it was necessary to have two meetings, one with new and one with old members. The Board would like to have Mr. Barrington set up a date with the Commission's Chairman Fred Rice.

Overall the Board was supportive of Mr. Moore's suggestions as it is beneficial to have more information available to the public.

4 – ISLAND PAVING

Mr. Moore MOTIONED to authorize the Town Manager to instruct Zoppo to prohibit construction work in the White Island area until the Board of Selectmen have an opportunity to review the related costs items in regard to overlay paving. **Mr. Griffin SECONDED.**

DISCUSSION:

The Board felt that they cannot wait another week and need to stop construction in the area until a decision can be made. Town Manager's Assistant, Maureen Duffy is to contact Zoppo if James is not back tomorrow.

VOTE: UNANIMOUS FOR

5 – APPOINTMENTS TO COMMITTEES & BOARDS

Highway Safety Committee

Mr. Lally MOTIONED to appoint Charles Burlington to the Highway Safety Committee. **Mr. Moore SECONDED.**
VOTE: UNANIMOUS FOR

Mr. Workman MOTIONED to appoint Dean Ellis and John Nickerson as Alternates to the Highway Safety Committee. **Mr. Griffin SECONDED.**

DISCUSSION:

It was questioned if the Highway Safety Committee had limits to the number of alternates.

VOTE: UNANIMOUS FOR

Recreation Advisory Committee

Mr. Griffin MOTIONED to reappoint Kim Warburton and Sheila Cragg to the Recreation Advisory Committee and move Alfonso (Skip) Webb to an Alternate position as he previously agreed to. **Mr. Moore SECONDED.**
VOTE: UNANIMOUS FOR

Cable TV Advisory Committee

Mr. Workman MOTIONED to appoint Edmond R. St. Pierre to the Cable TV Advisory Committee. **Mr. Moore SECONDED.**
VOTE: UNANIMOUS FOR

Heritage Commission

There is one Alternate Vacancy.

Insurance Review Committee

Mr. Workman MOTIONED to reappoint Ken Lobdell to the Insurance Review Committee. **Mr. Moore SECONDED.**
VOTE: UNANIMOUS FOR

OLD BUSINESS – CONTINUED

Mr. Lally reiterated that the Board's decision to pursue a declaratory judgment from the Rockingham Superior Court to get a ruling on the validity and enforceability of Article 5 was not a retaliatory action towards Tammy Deland or the citizens that signed the petition.

Mr. Moore commented on the memo from the Town Assessor addressing a letter that was sent to the Board last week. The memo attended to the concerns of Hampton property owner, Christine Dargie at 93 Locke Road. It was the consent of the Board to give the Assessor permission to send a letter to Ms. Dargie with the issues outlined in the memo.

Mr. Griffin inquired about the Aquarion water company. Town Attorney Gearreald said that a public hearing addressing the rate increase has not been scheduled yet by the Public Utilities Commission (PUC). Mr. Griffin was concerned about the increase in rates and the effect it would have on fire hydrants. Attorney Gearreald will be representing the Town at the PUC and will keep the Board up to date with Aquarion happenings.

Attorney Gearreald noted that he communicated with Tammy Deland to let her know that she has been named as a defendant in the declaratory judgment and assured her that she was not being sued financially. The Court Hearing to seek a temporary injunction to direct the Town to either enforce or not enforce Article 5 while the suit is pending has been scheduled on May 2 at 9 am. The expedited hearing has not yet been scheduled.

V. NEW BUSINESS

1 – ARTICLE 51 - EASEMENT

Attorney Gearreald along with Attorney Paul Carol, representing Kerrie and David Peaslee addressed the Board. Article 51, which was petitioned by the Peaslee's passed by Town vote. The property owners would like to proceed with the easement for the structure which currently extends over the lot line between 18G Street and 15-17 F Street.

Mr. Lally MOTIONED to grant the easement deed to 18 G Street (Map 290 Lot 10) property owners, Kerrie and David Peaslee. **Mr. Griffin SECONDED.**

VOTE: UNANIMOUS FOR

2 – BEACH FIRE STATION COMMITTEE APPOINTMENTS

The Board received letters from six volunteers who are interested in serving on the Committee. The purpose of the Committee is to determine the location of the station.

Mr. Workman MOTIONED that the Beach Fire Station Committee consists of nine members plus three alternates and one ex officio (Fire Chief Lipe) with representation from the Precinct Commission, Budget Committee and the Board of Selectmen. **Mr. Griffin SECONDED.**

DISCUSSION:

A letter must be provided to the Town Manager's office for the Board to consider prior to appointing the Committee next week. Administrative Assistant, Maureen Duffy will send a letter to the Precinct Commission and the Budget Committee requesting their participation in the committee.

VOTE: UNANIMOUS FOR

Chairman Bridle-Russell noted that nonprofit health and social service agencies will be receiving the full amount appropriated by special warrant article to each of the health agencies in late June when the Town has collected the first half tax bills.

Mr. Lally asked when the yard spring cleanup is scheduled. A response from Public Works Director John Hangen will be requested.

VI. CONSENT AGENDA

- 1 – Parade License
- 2 – License for Coin Operated Amusement Devices
- 3 – Timber Tax Warrant
- 4 – Hawkers & Peddlers License

Mr. Griffin MOTIONED to approve the consent agenda. **Mr. Moore SECONDED.**

DISCUSSION:

It was suggested that people seeking Hawkers and Peddlers licenses receive a gentle reminder to comply with Town laws.

VOTE: UNANIMOUS FOR

Chairman Bridle-Russell reminded citizens that April is dog licensing month. Residents should register their dogs at the Town Clerk's office.

VII. - PUBLIC COMMENTS

Dick Schaaake (18 Boston Avenue) addressed the Board and commented on the construction in his neighborhood.

Andrew Gunthrie (10 Boston Avenue) thanked the Board for putting a stop order on the construction in the White Island Area. He is also concerned about people in the area who live on fixed incomes who may not be able to afford the sewer tie in.

Vic Lessard addressed the Board. He is glad that the Board went to the island area to see the situation first hand. He also commented on the construction in the beach area.

Skip Webb (11 Memorial Lane) addressed the Board. He discussed the Aquarion Water Committee that consists of local residents who communicate with Aquarion on a regular basis. He also mentioned that the proposed rate increase is the first in many years.

VIII. - CLOSING COMMENTS:

Mr. Moore commented on petitioned warrant articles. When writing complex articles it was suggested that citizens seek legal council. It is policy that Town officials and personnel do not assist with writing petitioned articles. It was also suggested that petitioned articles dealing with a particular subject such as planning, communicate with the interested Board or Committee. The Town Attorney that the Board of Selectmen and other Town Boards cannot amend petitioned warrant articles. However, petitioned articles can be amended at the Deliberative Session.

Paving in the Island Area will be discussed at the next Selectmen's meeting.

IX ADJOURNMENT

Mr. Moore MOTIONED to adjourn the meeting at 8:30 PM. **Mr. Griffin SECONDED.**

VOTE: UNANIMOUS FOR

Chairman